

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/006,583

REMARKS

Claims 1-14 are all the claims presently pending in the application.

1. Claims 1-14 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by James *et al.* (USP 6,728,821).

a. Claim 1 recites two or more control units of a control apparatus. In the Amendment dated October 5, 2004 (October 2004 Amendment), Applicants argued that James *et al.* do not teach or suggest the control apparatus. In response, the Patent Office has asserted that any feature that comprises control units constitutes a control apparatus. Applicants respectfully disagree.

In James *et al.*, each of the A/V devices may be associated with a controller, such as a controller 806 associated with a listener 804 as shown in Fig. 7, or a controller 906 associated with a listener 904 as shown in Fig. 8. However, the controllers in James *et al.* communicate with each other via portals controlling. Nothing in James *et al.* teaches or suggests that the controllers collectively constitute a control apparatus, or that the controllers forward messages to a master controller. In sum, the Patent Office fails to provide any support in James for the argument that any feature that comprises control units collectively constitutes a control apparatus.

In contrast, claim 1 explicitly recites two or more control units and a master controller comprise a control apparatus, and claim 11 is directed to an apparatus comprising at least two control units that send messages to a master controller.

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b. Claim 1 recites at least two or more peripheral units. In the October 2004 Amendment, Applicants argued that James *et al.* fail to teach or suggest this feature. In response, the Patent Office argues that James *et al.* teach that consumer devices 120-160 may include a printer, an additional monitor, a video camcorder, etc., and that these devices consist of several peripheral units, referring to Fig. 2. It appears that the Patent Office is arguing that the device 120 shown in Fig. 2 teaches the recite electronic device, and a memory 208 and an I/O 210 of the device 120 teach the peripheral units. Applicants respectfully disagree. A skilled artisan would appreciate that the memory 208 and the I/O 210 are essential internal operating parts of the device 210, not peripheral units. Furthermore, there is no teaching or suggestion in James *et al.* that the control units spontaneously transmit messages to the master controller when they detect a data variation in an alleged peripheral device.

Thus, Applicants resubmit that James fails to teach or suggest the recited control apparatus and the recited peripheral units. Accordingly, Applicants resubmit that claims 1-14 are patentable over James *et al.*

2. Claims 1-9 and 11-14 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Takabatake (USP 8,728,244).

Claim 1 recites a control unit, which sends a message whenever at least one of the data provided by the peripheral units controlled by a control unit varies. On page 10 of the Office Action, the Patent Office argues that Takabatake teaches this feature, referring to col. 9, lines 36-39 of Takabatake. According to cited portion of Takabatake, the node to be controlled (radio

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terminal 121) that received an AV/C command completes a processing corresponding to the received command, and returns a processing execution result for this command to a 1394 node 101 which is the controlling node. Even if the Patent Office is correct that the data variation is the successful decoding of a command signal as a command, the command signal is from the node 101, which is asserted by the Patent Office as the master controller. However, in the claimed invention, the data variation is from a peripheral unit, not from the master controller.

In addition, in this part of Takabatake, it is the radio terminal 121 itself that receives the command from the node 101, completes the processing and returns a result to the node 101. The Patent Office has failed to point out the element in Takabatake that teaches the peripheral unit.

At the same time, on page 5 of the Office Action, the Patent Office has also asserted that col. 10, lines 52-54 of Takabatake teaches the control unit that sends a message whenever data provided by at least one of the peripheral units controlled by a control unit varies. However, in this portion of Takabatake, it is the node 101 that returns a corresponding Ack message to the base station node 110 in response to an AV/C response from the radio terminal 121. It appears that the Patent Office is reading the recited control unit on the node 101. This contradicts the Patent Office's position that the node 101 teaches the master controller. Furthermore, this is also inconsistent with the Patent Office's position that col. 9, lines 36-39 of Takabatake (where the radio terminal 121 receives the command from the node 101, completes the processing and returns a result to the node 101) teaches the control unit.

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Thus, Takabatake fails to teach or suggest the control unit, the peripheral and the master controller. Accordingly, Applicants resubmit that claims 1-9 and 11-14 are patentable over Takabatake.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

Respectfully submitted,



Paul J. Wilson
Registration No. 45,879

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